

JAN 23 2015

A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Hawaii law provides
2 that any building, structure, object, district, area, or site
3 over fifty years old is considered historic property. Further,
4 current application of historic preservation law requires review
5 by the state historic preservation division of the department of
6 land and natural resources prior to the granting of permits for
7 proposed projects on historic properties. This requirement, in
8 certain instances, has delayed the granting of permits, which
9 has had a negative impact on development.

10 Concerns have been raised especially due to the increasing
11 numbers of private residences that are or will soon be fifty
12 years old. Beginning around 1950, and particularly after 1960,
13 was a period of growth in construction of housing to accommodate
14 the State's rapidly growing population. Some of these
15 residences are of historic or cultural value, while others are
16 not. Furthermore, some building projects requiring permitting
17 have no effect on the historical property. Therefore, it is



1 necessary to focus the State's limited resources on only those
2 building projects that will affect historic property.

3 The purpose of this Act is to:

4 (1) Include only buildings, structures, objects,
5 districts, areas, or sites that are significant in
6 Hawaiian history, architecture, archeology,
7 engineering, or culture in the definition of "historic
8 property";

9 (2) Require the state historic preservation division to
10 initiate a pilot reconnaissance architectural survey
11 project to inventory the historic buildings in the
12 State;

13 (3) Require the state historic preservation division to
14 develop a list of types of projects that have no
15 potential to affect a historic property and to provide
16 the list to the public and the counties;

17 (4) Require the state historic preservation division to
18 develop lists of properties likely to be ineligible
19 for inclusion in the Hawaii register of historic
20 places and to provide those lists to the counties; and



(5) Require the state historic preservation division to identify properties that are likely to be eligible for inclusion in the Hawaii register of historic places and notify the property owner of the property's likely eligibility.

SECTION 2. Section 6E-2, Hawaii Revised Statutes, is amended by amending the definition of "historic property" to read as follows:

"Historic property" means any building, structure, object, district, area, or site, including heiau and underwater site, which is over fifty years old and is significant in Hawaiian history, architecture, archeology, engineering, or culture, and possesses integrity of location, design, setting, materials, workmanship, feeling, or association and meets one or more of the following criteria:

(1) Be associated with events that have made a significant contribution to the broad patterns of history in Hawaii;

(2) Be associated with the lives of significant persons in Hawaii's past;



- 1 (3) Embody the distinctive characteristics of a type,
2 period, or method of construction, or that represent
3 the work of a master, or that possess high artistic
4 values, or that represent a significant and
5 distinguishable entity whose components may lack
6 individual distinction; or
7 (4) Have yielded or may be likely to yield, information
8 important in history or prehistory."

9 SECTION 3. The state historic preservation division of the
10 department of land and natural resources shall initiate a pilot
11 reconnaissance architectural survey project to document
12 residences in selected communities and subdivisions with a high
13 percentage of homes built between 1945 and 1980 and develop a
14 study of Hawaii mid-century architecture that will serve as a
15 basis for evaluating the historic and architectural significance
16 of those structures.

17 SECTION 4. (a) The state historic preservation division
18 of the department of land and natural resources shall:

- 19 (1) Develop a list of the types of projects that have no
20 potential to affect a historic property and post the



1 list on the department's website and provide the list
2 to the counties no later than October 1, 2015;

3 (2) Develop a list of properties, identified by street
4 address and tax map key, that are not eligible for
5 inclusion in the Hawaii register of historic places
6 and provide the list to the counties no later than
7 January 2, 2016; and

8 (3) Develop a list of the types of properties likely to be
9 eligible for inclusion in the Hawaii register of
10 historic places and notify the owner of each property
11 of the property's likely eligibility no later than
12 January 2, 2016.

13 (b) Properties not included in or eligible for inclusion
14 in the Hawaii register of historic places and projects of the
15 types identified in the list developed pursuant to subsection
16 (a)(1) shall not be subject to review under section 6E-42,
17 Hawaii Revised Statutes, and the counties shall not submit such
18 projects to the department for review under section 6E-42,
19 Hawaii Revised Statutes.

20 SECTION 5. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$300,000 or so much



1 thereof as may be necessary for fiscal year 2015-2016 and the
2 same sum or so much thereof as may be necessary for fiscal year
3 2016-2017 to be deposited into the Hawaii historic preservation
4 special fund.


5 SECTION 6. There is appropriated out of the Hawaii
6 historic preservation special fund the sum of \$300,000 or so
7 much thereof as may be necessary for fiscal year 2015-2016 and
8 the same sum or so much thereof as may be necessary for fiscal
9 year 2016-2017 for the establishment and implementation of the
10 pilot reconnaissance architectural survey project and study of
11 Hawaii mid-century architecture.

12 The sums appropriated shall be expended by the department
13 of land and natural resources for the purposes of this Act.

14 SECTION 7. New statutory material is underscored.

15 SECTION 8. This Act shall take effect on July 1, 2015.

16
INTRODUCED BY: _____



S.B. NO. 504

Report Title:

State Historic Preservation Division; Architectural Survey and Study; Appropriation

Description:

Includes only buildings, structures, objects, districts, areas, or sites that are significant in Hawaii's history, architecture, archeology, engineering, or culture in the definition of "historic property". Requires the state historic preservation division of the Department of Land and Natural Resources to initiate a pilot reconnaissance architectural survey project to document selected residences built between 1945 and 1980 and conduct a study of Hawaii mid-century architecture. Requires the division to provide the public and the counties with a list that identifies the types of projects that have no potential to affect a historic property; provide a list of properties identified by street address and tax map key that are likely to be ineligible for inclusion in the Hawaii register of historic places to the counties; and provide owners of historic property with notice of the property's likely eligibility in the Hawaii register of historic places. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

